

ORDINANCE NO. 3686

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF CUMBERLAND, ENTITLED "AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A DEED FOR THE PURPOSE OF CONVEYING TO WILLIAM C. JOHNSTON CERTAIN SURPLUS PROPERTY LOCATED AT 657 GREENE STREET IN THE CITY OF CUMBERLAND, ALLEGANY COUNTY, MARYLAND."

WHEREAS, Mayor and City Council of Cumberland is the fee simple owner of a certain parcel of real property located at 657 Greene Street, in the City of Cumberland, Allegany County, Maryland;

WHEREAS, William C. Johnston desires to purchase the said property for the sum of \$500.00; and

WHEREAS, the Mayor and City Council of Cumberland deem it to be in the interest of the City to grant the said conveyance.


NOW, THEREFORE

SECTION 1: BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF CUMBERLAND, that the Mayor and City Clerk, be and they are hereby authorized to execute a deed in the form attached hereto as Exhibit A or in a similar form conveying the real property and the improvements thereon, if any, located at 657 Greene Street, Cumberland, Maryland 21502 to William C. Johnston in consideration of his payment of \$500.00 as the purchase price; and

SECTION 2: AND BE IT FURTHER ORDAINED, that this Ordinance shall take effect from the date of its passage.

MAR 29 2011

Passed this 29th day of March, 2011.



Brian K. Grim, Mayor

ATTEST:



Marjorie A. Eirich, City Clerk

1st reading: March 1, 2011
2nd reading: March 29, 2011
3rd reading: March 29, 2011
Effective: March 29, 2011

EXHIBIT A

NO TITLE SEARCH PERFORMED

THIS QUITCLAIM DEED, made this 1st day of March, 2011, by and between
MAYOR AND CITY COUNCIL OF CUMBERLAND, party of the first part, and
WILLIAM C. JOHNSTON, party of the second part.

WITNESSETH:

That for and in consideration of the sum of Five Hundred Dollars (\$500.00) and for other good and valuable considerations, the receipt of all of which is hereby acknowledged, the party of the first part does hereby quitclaim to the party of the second part, his personal representatives, heirs and assigns, all of its right, title, interest and estate in and to the following described property, to wit:

ALL that lot or parcel of land on the Northerly side of Greene Street in Election District No. 6 in Cumberland, Allegany County, Maryland, and more particularly described as follows:

BEGINNING at a chiseled point on a concrete wall on the Northerly side of Greene Street at the beginning of a deed from Nicholas Spano, et ux, to the National Real Estate Company of Allegany County, Maryland, dated December 18, 1925, and recorded in Liber 152, folio 153, one of the Land Records of Allegany County, Maryland, and running with said Greene Street with part of the 1st line of said Deed, North 87 degrees 12 minutes West 26.6 feet; then with a line in the East plane of the concrete wall on the Westerly side of the concrete steps to the dwelling on this property and with a line passing about equi-distant between the eaves of this property's dwelling and the eaves of the dwelling on the West side of this property, North 8 degrees 44 minutes East 90.0 feet to a stake intersecting the 3rd line in said National Real Estate Company Deed; then with a part of said line, South 87 degrees 12 minutes East 25.3 feet to a stake; thence South 7 degrees 55 minutes West 90.0 feet to the place of **BEGINNING**.

IT BEING the same property which was conveyed from David A. Goad, Sheriff of Allegany County, Maryland to The Mayor and City Council of Cumberland, Maryland, by deed dated February 6, 2008 and recorded among the Land Records of Allegany County, Maryland in Book 1465, Page 132.

TOGETHER with the buildings and improvements thereon, and the rights, roads, ways, waters, privileges and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the above-described property unto the party of the second part, his personal representatives, heirs and assigns, in fee simple forever.

IN WITNESS WHEREOF, Mayor and City Council of Cumberland has caused these presents to be executed in its name and under its seal and duly attested all on the day and date first above written.

WITNESS/ATTEST:

**MAYOR AND CITY COUNCIL
OF CUMBERLAND**

Marjorie A. Eirich, City Clerk

By: _____ (SEAL)
Brian K. Grim, Mayor

**STATE OF MARYLAND,
ALLEGANY COUNTY, TO WIT:**

I HEREBY CERTIFY, that on this ____ day of March, 2011, before me, the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Brian K. Grim**, known to me or satisfactorily identified to be the person whose name is subscribed to the within instrument, the Mayor of Mayor and City Council of Cumberland, a municipal corporation of the State of Maryland, and acknowledged the foregoing to be the act and deed of the said Mayor and City Council of Cumberland; and at the same time made oath he is duly authorized by it to make this acknowledgment; and he further certified under the penalties of perjury that the actual consideration for the foregoing conveyance is \$500.00 and that the total payment made to the grantor was \$500.00 and he further made oath in due form of law that this transaction is not subject to the provisions of Section 10-912 of the Tax General Article of the Maryland Annotated Code as the grantor is a resident of the State of Maryland.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

My Commission Expires: _____

I HEREBY CERTIFY that the within and foregoing document was prepared by, or under the supervision of, the undersigned, a Maryland attorney, and that no title search was performed in connection with its preparation.

MICHAEL SCOTT COHEN